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EXAMINER

HA, LEYNNA A

ART UNIT PAPER NUMBER

2135

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/845,319

**Applicant(s)**

AZUMA, TOMIHIKO

**Examiner**

LEYNNA T. HA

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/15/04</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1 and 9-11 have been amended by applicant. Claims 12-21 are newly added claims.
2. Claims 1-21 have been rejected under 35 U.S.C. 102(b).  
  
This is a Final rejection.

**Claim Rejections - 35 USC § 102**

*The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:*

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-21 are rejected under 35 U.S.C. 102(b) as being anticipate by Khello (US 5,724,423).**

**As per claim 1:**

**Khello** discloses a user authentication method for checking whether a user is qualified for using a service provided through a network, comprising:

a step of registration of user authentication information to register a numerical calculation method designated by said user and being specific to said user [col.3, lines 23-32] as said user authentication information together with user identification information corresponding to said user; and [col.1, lines 27-36 and col.7, lines 33-67]

a step of judging, **to perform user authentication, wherein** when said user identification information is transmitted from said user through said network to a service providing site **[col.3, lines 36-49]** and an arbitrary numeric value is transmitted from said service providing site through said network to said user **[col.13, lines 13-14]**, a **determination of** whether a first calculation result, **which is** obtained **by said user** using said arbitrary numeric value **in said registered numerical calculation method, and is** transmitted from said user through said network to said service providing site **equals** a second calculation result **which is** obtained **by said service providing site** by applying said arbitrary numeric value to said registered numerical calculation method. **[col.3, lines 64-67 and col.11, lines 4-8]**

**As per claim 2:**

**Khello** discloses a user authentication method for checking whether a user is qualified for using a service provided through a network, comprising:

a step of registration of user authentication information to register a numerical calculation method designated by said user **[col.3, lines 23-32]** through said network and being specific to said user as said user authentication information together with user identification information corresponding to said user; and **[col.1, lines 27-36 and col.7, lines 33-67]**

a step of judging **to perform user authentication, wherein** when said user identification information is transmitted from said user through said network to a service providing site **[col.3, lines 36-49]** and an arbitrary numeric value is transmitted from said service providing site through said network to said user **[col.7, lines 5-12 and**

**col.15, lines 40-49]**, a first calculation result corresponding to said arbitrary numeric value is **obtained by user using said registered numerical calculation method and** is transmitted from said user through said network to said service providing site **[col.13, lines 13-14]**, and a **determination of** whether said first calculation result **equals** a second calculation result which is obtained **by said service providing site** by applying said arbitrary numeric value to said registered numerical calculation method, **[col.3, lines 64-67 and col.11, lines 4-8]**

**wherein, when said first calculation result equals said second calculation result, said user is authorized.**

**As per claim 3:**

**Khello** discloses a network system comprising:

one or a plurality of user terminals by which a user transmits a numerical calculation method being specific to said user together with user identification information corresponding to said user **[col.3, lines 23-32]** through a network to a service providing site and **said one or plurality of user terminals** transmits a first calculation result obtained by applying a given numeric value to said numerical calculation method through said network to said service providing site; and **[col.8, lines 27-31 and col.7, lines 33-67]**

one or a plurality of service providing sites to register said numerical calculation method together with said user identification information corresponding to said user **[col.3, lines 36-49]**, to transmit an arbitrary numeric value through said network to said user terminal when said user identification information is transmitted from said user

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terminal through said network and to judge [col.13, lines 13-14], when said first calculation result corresponding to said arbitrary numeric value is transmitted from said user terminal through said network [col.15, lines 4-7 and 51-60], whether said first calculation result **equals** a second calculation result which obtained by said one or **plurality of service providing sites** by applying said arbitrary numeric value to said registered numerical calculation method to perform said user authentication. [col.3, lines 64-67 and col.11, lines 4-8]

**As per claim 4:** See col., lines ; discussing the network system according to claim 3, wherein said user terminal has a function of displaying said arbitrary numeric value transmitted from said service providing site. [col.6, lines 20-25]

**As per claim 5:** See col.5, lines 60-65 and col.6, lines 20-25; discussing the network system according to claim 3, wherein said user terminal has a function of outputting, by voice, said arbitrary numeric value transmitted from said service providing site.

**As per claim 6:** See col.5, lines 60-65 and col.6, lines 20-25; discussing the network system according to claim 3, wherein said user terminal is made up of a portable cellular phone or a personal digital assistant, having a function of displaying said arbitrary numeric value transmitted from said service providing site.

**As per claim 7:** See col.5, lines 60-65 and col.6, lines 20-25; discussing the network system according to claim 3, wherein said user terminal is made up of a portable cellular phone or a personal digital assistant, having a function of outputting, by voice, said arbitrary numeric value transmitted from said service providing site.

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**As per claim 8:** See col.5, lines 60-65 and col.6, lines 20-25; discussing the network system according to claim 3, wherein said first calculation result is input by voice of said user to said user terminal and is transmitted through said network to said service providing site and wherein said service providing site has a function of performing voice recognition of said first calculation result.

**As per claim 9:**

**Khello** discloses a storage medium storing a control program to have a computer carry out a user authentication method for checking whether a user is qualified for using a service provided through a network, said method comprising:

a step of registration of user authentication information to register a numerical calculation method designated by said user [col.3, lines 23-32] and being specific to said user as said user authentication information together with user identification information corresponding to said user; and [col.1, lines 27-36 and col.7, lines 33-67]

a step of judging **to perform user authentication**, wherein when said user identification information is transmitted from said user through said network to a service providing site [col.3, lines 36-49] and an arbitrary numeric value is transmitted from said service providing site through said network to said user [col.13, lines 13-14], **a determination of** whether a first calculation result which is obtained **by said user** using said arbitrary numeric value **and is** transmitted from said user through said network to said service providing site **equals** a second calculation result which is obtained **by said**

**service providing site** by applying said arbitrary numeric value to said registered numerical calculation method, **[col.11, lines 4-8]**

**wherein, when said first calculation result equals said second calculation result, said user is authorized. [col.3, line 64 thru col.4, line 1]**

**As per claim 10:**

**Khello** discloses a storage medium storing a control program to have a computer carry out a user authentication method for checking whether a user is qualified for using a service provided through a network, said method comprising:

a step of registration of user authentication information to register a numerical calculation method designated by said user **[col.3, lines 23-32]** through said network and being specific to said user as said user authentication information together with user identification information corresponding to said user; and **[col.1, lines 27-36 and col.7, lines 33-67]**

a step of judging **to perform user authentication, wherein** when said user identification information is transmitted from said user through said network to a service providing site **[col.3, lines 36-49]** and an arbitrary numeric value is transmitted from said service providing site through said network to said user **[col.13, lines 13-14]**, a first calculation result corresponding to said arbitrary numeric value is **obtained by said user using said registered numerical calculation method and is** transmitted from said user through said network to said service providing site, **and a determination of** whether said first calculation result **equals** a second calculation result which is obtained **by said service providing site** by applying said arbitrary numeric value to said



registered numerical calculation method to perform said user authentication, **[col.11, lines 4-8]**

**wherein, when said first calculation result equals said second calculation result, said user is authorized. [col.3, line 64 thru col.4, line 1]**

**As per claim 11:**

**Khello** discloses a storage medium storing a control program to have a computer carry out a network system comprising:

one or a plurality of user terminals by which a user transmits a numerical calculation method being specific to said user together with user identification information corresponding to said user **[col.3, lines 23-32]** through a network to a service providing site, and **one or a plurality of user terminals** transmits a first calculation result obtained by applying a given numeric value to said numerical calculation method through said network to said service providing site; **[col.8, lines 27-31 and col.7, lines 33-67]** and

one or a plurality of service providing sites to register said numerical calculation method together with said user identification information corresponding to said user **[col.3, lines 36-49]**, to transmit an arbitrary numeric value through said network to said user terminal when said user identification information is transmitted from said user terminal through said network and to judge **[col.13, lines 13-14]**, when said first calculation result corresponding to said arbitrary numeric value is transmitted from said user terminal through said network **[col.15, lines 4-7 and 51-60]**, whether said first

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calculation result **equals** a second calculation result which is obtained by **one or a plurality of service providing sites** applying said arbitrary numeric value to said registered numerical calculation method, to perform said user authentication. **[col.3, line 64 thru col.4, line 1 and col.11, lines 4-8]**

**As per new claim 12:** See col.6, lines 6-26; discussing wherein during user authentication information registration, said service providing site supplies said user with a plurality of numerical calculation methods and said user designates one of said plurality of numerical calculation methods to be the registered numerical calculation method.

**As per new claim 13:** See col.6, lines 6-26; discussing wherein during user authentication information registration, said service providing site supplies said user with a plurality of numerical calculation methods and said user designates one of said plurality of numerical calculation methods to be the registered numerical calculation method.

**As per new claim 14:** See col.6, lines 6-26; discussing wherein during user authentication information registration, said service providing site supplies said user with a plurality of numerical calculation methods and said user designates one of said plurality of numerical calculation methods to be the registered numerical calculation method.

**As per new claim 15:** See col.6, lines 6-26; discussing wherein during user authentication information registration, said service providing site supplies said user with a plurality of numerical calculation methods and said user designates one of said

plurality of numerical calculation methods to be the registered numerical calculation method.

**As per new claim 16:** See col.9, lines 19-60; discussing said registered numerical calculation method is a mathematical expression that is solved by said user and said service providing site, using said arbitrary numeric value provided by said service providing site.

**As per new claim 17:** See col.9, lines 19-60; discussing said registered numerical calculation method is a mathematical expression that is solved by said user and said service providing site, using said arbitrary numeric value provided by said service providing site.

**As per new claim 18:** See col.9, lines 19-60; discussing said numerical calculation method and said registered numerical calculation method are a mathematical expression that is solved by said user and said service providing site, using said arbitrary numeric value provided by said service providing site.

**As per new claim 19:** See col.9, lines 19-60; discussing said registered numerical calculation method is a mathematical expression that is solved by said user and said service providing site, using said arbitrary numeric value provided by said service providing site.

**As per new claim 20:** See col.9, lines 19-60; discussing said registered numerical calculation method is a mathematical expression that is solved by said user and said service providing site, using said arbitrary numeric value provided by said service providing site.

**As per new claim 21:**      **See col.9, lines 19-60;** discussing said numerical calculation method and said registered numerical calculation method are a mathematical expression that is solved by said user and said service providing site, using said arbitrary numeric value provided by said service providing site.

***Response to Arguments***

The Examiner finds the arguments not persuasive and remains rejected in view of Khello.

Further, the Examiner is only required to give in light the claimed limitations the broadest reasonable interpretation, hence the limitations of the arbitrary numeric value being sent from the providing site given the most reasonable interpretation according to the specification. The specification fails to provide exactly what the arbitrary numeric value that is sent from the providing site, so the Examiner finds the broadest and closest teaching, on pages 12- 13, where it indicates that the providing site sends a signal to request the user to enter a numerical value that only the user remembers.

For purposes of applying art, the Examiner interprets the numerical value is a PIN where the user must memorize (col.9, lines 42-43 and col.6, lines 6-26) to gain access and the arbitrary numeric value sent from the providing site is a request (col.7, lines 5-30 and col.11, lines 4-23) for a user to enter a PIN (or a registered numeric calculation method) where thereafter the PIN is

compared to the stored PIN of the providing site which is interpreted as the PIN must match or equal to the PIN of the providing site in order for the user to be authorized and/or gain access (col.3, line 64-col.4, line 1). It is inherent the user's PIN (or a registered numeric calculation method) must equal to the providing site's PIN at the comparison process.

### ***Conclusion***

**4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).**


**A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LEYNNA T. HA whose telephone number is (571) 272-3851. The examiner can normally be reached on Monday - Thursday (7:00 - 5:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LHa

  
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